

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

HB 863 – SB 1485

February 19, 2021

SUMMARY OF BILL: Prohibits a court from issuing or a law enforcement officer from serving a no knock search or arrest warrant.

ESTIMATED FISCAL IMPACT:

NOT SIGNIFICANT

Assumptions:

- Per the language of this legislation, a “no knock warrant” means a search or arrest warrant that specifically enables the law enforcement officer executing the warrant to enter a structure without the requirement that the officer give notice of the officer's authority and the purpose of the officer's presence at the structure to be searched due to exigent circumstances.
- According to the 2019 St. John's Law Review article, *To Knock or Not to Knock? No Knock Warrants and Confrontational Policing*, there are at least 20,000 no knock warrants issued annually nation-wide.
- The United States Census Bureau estimates, as of 2019, a national population of 328,239,523 and a Tennessee population of 6,829,174. Therefore, Tennessee represents 2.08 percent ($6,829,174 / 328,239,523$) of the US population.
- It can be reasonably assumed that Tennessee courts issue at least 416 ($20,000 \times 2.08\%$) no knock warrants each year.
- Given that relatively low figure, prohibiting no knock warrant search and arrest warrants will not substantially impact the total arrests, convictions, or seizures; therefore, this legislation will not significantly impact state or local expenditures or revenue.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Bojan Savic".

Bojan Savic, Interim Executive Director

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